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BOOK REVIEWS.

BAILMENTS. By Wyatt Paine. London: Sweet and Maxwell. 1901. pp. lxxxviii, 550.

Not only has the author discussed the law of bailments with much fulness in this volume, but he has considered several cognate topics, such as bills of sales, chattel mortgages, the contract of lien with an option of purchase, and the liens of various persons who are not usually thought of as bailees. Indeed, the alternative title—"A Commentary on the Law of Custody and Possession, as distinguished from Property, in Chattels"—which we find on the somewhat crowded title-page, appears to us more truly descriptive of the work, than the one word "Bailments," which heads the page and appears alone on the back of the bound volume.

Lord Holt's classification of bailments, in the famous case of *Coggs v. Bernard*, is followed by Mr. Paine, who stands ready to defend it against all critics. In his opinion, it is to be "regarded as permanently authoritative." He does not hesitate to quote freely from Sir William Jones and other old writers, but he is equally familiar with the latest English decisions, and his presentation of this branch of the law is very satisfactory. English statutes relating to the liabilities of innkeepers, to railway and canal traffic and the like, are carefully considered and many of their provisions set out in full. In the appendices are extracts from the "Commonwealth of Australia and Constitution Act" of 1900 and from the Indian Contract Act, relative to bailments, with a commentary thereon, as well as with generous citations from the Australian and Indian reports.

For the British practitioner, whether in England or the colonies, the book ought to prove a valuable one. As it rarely cites American cases or refers to American text books, it cannot be very useful to the average lawyer in this country.

THE LIABILITY OF MUNICIPAL CORPORATIONS FOR TORT. By Waterman L. Williams. Boston: Little, Brown & Co. 1901. pp. xxxix, 345.

The tendency of many modern text books seems to be toward the statement merely of a number of propositions as representing the law on the topic treated, together with the citation of numerous authorities bearing a more or less intimate relation to the subject in hand. The result is rather a digest than a treatise. If the compilation has been carefully made, the work may prove serviceable to the hasty practitioner and even, as a finger post, to the lawyer who is still a student. As there is usually but slight attempt to deal with underlying principles, such a work is not of lasting value because of the mutability of latter day decisions.

This defective method of treatment is doubly to be regretted in the consideration of a subject which is undergoing such rapid development as that of the liability of municipalities for torts. In his small volume Mr. Williams has gathered together, apparently with considerable care, upwards of twenty-two hundred decisions. In many instances these decisions have been tabulated so as to show the trend of the courts of the different states. Eleven general classes of torts are considered and the principles applicable thereto are stated with clearness and considerable attention to detail. There is but slight original investigation, however, and it is to be hoped that the appreciation of the wide range of the subject, which is stated at the outset, will induce the author to utilize the material he has collected, in a more scholarly treatment of this very important branch of the law.

ABBOTT'S TRIAL BRIEF. MODES OF PROVING FACTS. Second Edition. Rochester : The Lawyers' Co-operative Publishing Company. 1901. pp. xxii, 653.

The first edition of this work issued more than ten years since with the purpose of affording timely aid to the practitioner in the trial of causes, has been found useful for the accomplishment of this purpose, by a large number of trial lawyers.

The arrangement of subjects was strictly alphabetical, as it probably should be for the use for which the book was designed, and the entire plan of the work was one that fitted it for the use of the practitioner rather than the student. This plan has been wisely retained in the present edition which has been prepared "by the publisher's editorial staff" with the view of including important decisions made since the first edition was issued, and of making the work more comprehensive. Some subjects receive consideration which did not appear in the original edition, and others, which did appear therein, are treated more fully and minutely.

Assuming that the citations have been carefully verified, the volume will be of valuable assistance to lawyers who are engaged in the trial of actions.

TWO CENTURIES' GROWTH OF AMERICAN LAW: 1701-1901. By Members of the Faculty of the Yale Law School. New York: Charles Scribner's Sons. London: Edward Arnold. 1901. pp. xviii, 538.

This book is one of a series issued under the auspices of Yale University in celebration of her bicentennial. The faculty of the Law School has chosen to make its contribution in the shape of historical sketches of the growth of the more important branches of American law. In no way, from a lawyer's point of view, could the difference between the world in which Yale began and that of to-day have been more strikingly illustrated.

The purpose of the book is thus stated by Judge Baldwin in his introduction: "This volume is an attempt to sketch the progress of American Law; public and private, in the two hundred years from